

Message Text

UNCLASSIFIED

PAGE 01 DURBAN 00069 161034Z

ACTION AF-08

INFO OCT-01 ISO-00 CIAE-00 INR-07 NSAE-00 PM-04 NSC-05

SP-02 SS-15 DHA-02 /044 W

-----161101Z 061117 /13

R 161000Z FEB 77

FM AMCONSUL DURBAN

TO SECSTATE WASHDC 2491

INFO AMEMBASSY PRETORIA

AMCONSUL JOHANNESBURG

AMCONSUL CAPE TOWN

UNCLAS DURBAN 069

CAPE TOWN ALSO FOR EMBASSY

E.O.11652: NA

TAGS: PINT PINS SHUM SF

SUBJECT: MDLULI DEATH PROBE CONCLUDED; DECISION AWAITED

REF: A. 76 DURBAN 551, B. 76 DURBAN 561, C. 76 DURBAN A-66

1. FURTHER PROBE INTO DEATH OF ALLEGED ANC RECRUITER, JOSEPH MDLULI, HAS BEEN CONCLUDED ACCORDING TO S.A. PRESS REPORTS. PROBE WAS ORDERED AT CONCLUSION OF TRIAL (REFS A AND B) AT WHICH FOUR SOUTH AFRICAN SECURITY POLICEMEN WERE ACQUITTED OF MURDER OF MDLULI WHILE IN DETENTION. IN ACQUITTING POLICEMEN THE TRIAL JUDGE, JUDGE PRESIDENT OF NATAL MR. JUSTICE JAMES, EXPRESSED DOUBTS ABOUT EVIDENCE GIVEN AND CALLED FOR FURTHER INVESTIGATION INTO ACTUAL CIRCUMSTANCES BY MDLULI'S DEATH. FURTHER INVESTIGATION WAS ANNOUNCED BY COMMISSIONER OF POLICE, GENERAL PRINSLOO, IN EARLY DECEMBER 1976. INVESTIGATION WAS PRESIDED OVER BY NATAL ATTORNEY-GENERAL CECIL REES WHO ANNOUNCED ON FEBRUARY 8 THAT HE WOULD MAKE A DECISION WITHIN TWO TO THREE WEEKS ON WHETHER ADDITIONAL PERSONS WERE TO BE CHARGED. REES' ANNOUNCEMENT HAS BEEN WELCOMED BY CHURCH AND ACADEMIC LEADERS AND MDLULI FAMILY.

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2. MDLULI CASE WAS GIVEN RENEWED PUBLIC ATTENTION WEEK OF 7 FEB WHEN GOVERNMENT PATHOLOGIST, DR. B. VAN STRAATEN, TESTIFIED IN ONGOING ANC TERRORISM TRIAL IN PIETERMARITZBURG (REF C). VAN STRAATEN REITERATED TESTIMONY GIVEN DURING TRIAL OF S.A. SECURITY POLICEMEN INCLUDING DOUBT THAT "FALL ON CHAIR" (AS ORIGINALLY SUGGESTED) COULD HAVE CAUSED MDLULI'S DEATH.

MDLULI WAS TO HAVE BEEN A CO-DEFENDANT AT PIETERMARITZBURG TRIAL BUT DIED IN DETENTION BEFORE TRIAL COMMENCED.

3. ATTORNEY-GENERAL REES' FINDINGS MAY ALSO THROW FURTHER LIGHT ON DISCREPANCIES BETWEEN OFFICIAL PHOTOS OF MDLULI'S BODY AND THOSE SURFACED BY ANC IN PRESS CONFERENCE AT LONDON HOUSE OF COMMONS IN MAY 1976 (PARA 3, REF B). DURBAN SECURITY POLICE HAVE ANNOUNCED THAT THEIR INVESTIGATION OF THIS ASPECT OF MDLULI AFFAIR ALSO HAS BEEN COMPLETED AND THAT, DEPENDING ON ATTORNEY-GENERAL'S DECISION, TWO DURBAN PEOPLE MIGHT BE CHARGED WITH "FRAUD".
FARBER

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Message Attributes

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Disposition Approved on Date:
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Disposition Comment:
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